

# **The Victims of Crime Act's (VOCA)**

## **Crime Victims Fund**

- **The Crime Victims Fund provides critical funding that helps millions of victims of all types of crime every year.**
- **The Fund comes from the collection of Federal criminal fines; not taxpayer revenues.**
- **Congress has repeatedly said that all amounts deposited into the Fund would remain available for victim services.**
- **Rescinding \$1.267 billion means there will be no funds available to support victim services at the start of FY 2007.**

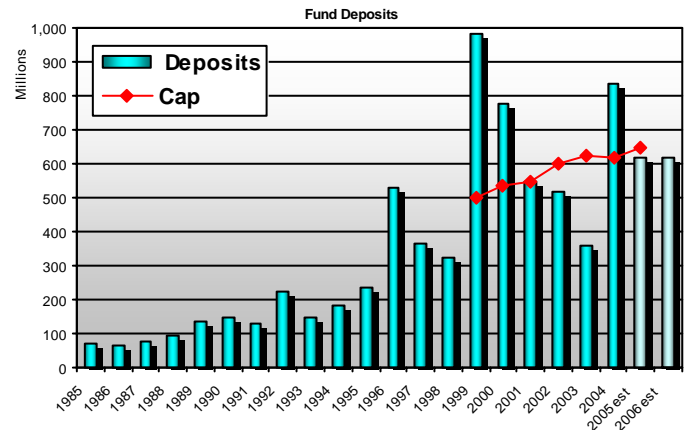
### **Programs supported by the Crime Victims Fund:**

- Children's Justice Act
- U.S. Attorney's victim/witness coordinators
- F.B.I. victim assistance specialists
- Federal victim notification system
- OVC discretionary grants
- State compensation formula grants
- State victim assistance formula grants
- Antiterrorism Emergency Reserve

# VOCA's Crime Victims Fund

## Crime Victims Fund Deposits 1985-2004; Total = \$6.7 billion

FY	Deposits	FY	Deposits
1985	68,312,956	1995	233,907,256
1986	62,506,345	1996	528,941,562
1987	77,446,383	1997	362,891,434
1988	93,599,362	1998	324,540,486
1989	133,540,076	1999	985,185,354
1990	146,226,664	2000	776,954,858
1991	127,968,462	2001	544,437,015
1992	221,608,913	2002	519,466,480
1993	144,733,739	2003	361,341,967
1994	185,090,720	2004	833,695,013



- All deposits into CVF come from Federal criminal fines, forfeitures and special assessments – not taxpayer revenues.
- Collections began fluctuating significantly beginning in FY 1996.
- Congress has imposed limit on annual obligations since the FY 2000 to ensure stable funding in future years.
- In three of six years, the amounts retained in the Fund have been needed to make up the difference between the previous year's deposits and the cap.

Fiscal Year	Previous Year Deposits	Cap on Obligations
2000	985,185,354	\$500,000,000
2001	776,954,858	537,500,000
<b>2002</b>	<b>544,437,015</b>	<b>550,000,000</b>
<b>2003</b>	<b>519,466,480</b>	<b>600,000,000</b>
<b>2004</b>	<b>361,341,967</b>	<b>621,312,498*</b>
2005	833,695,013	620,000,000*

\* Includes rescissions and carryovers

### **Congress has repeatedly reaffirmed that all deposits would be retained in the Fund for future victim services:**

*"The conferees have taken this action [delaying annual Fund obligations] to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years."* [FY 2000; Conf. Rpt. 106-479]

*"Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this chapter for grants under this chapter without fiscal year limitation. Notwithstanding section 1402(d)(5), all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation."*

[42 U.S.C. 10601(c); amended Pub. L. 106-386; Oct. 28, 2000]

*"The conferees have taken this action to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years."* [FY 2002; Conf. Rpt. 107-278]

*"[The cap] is continued to ensure a stable source of funds will remain available for the program, despite inconsistent levels of criminal fines deposited annually into the fund."*

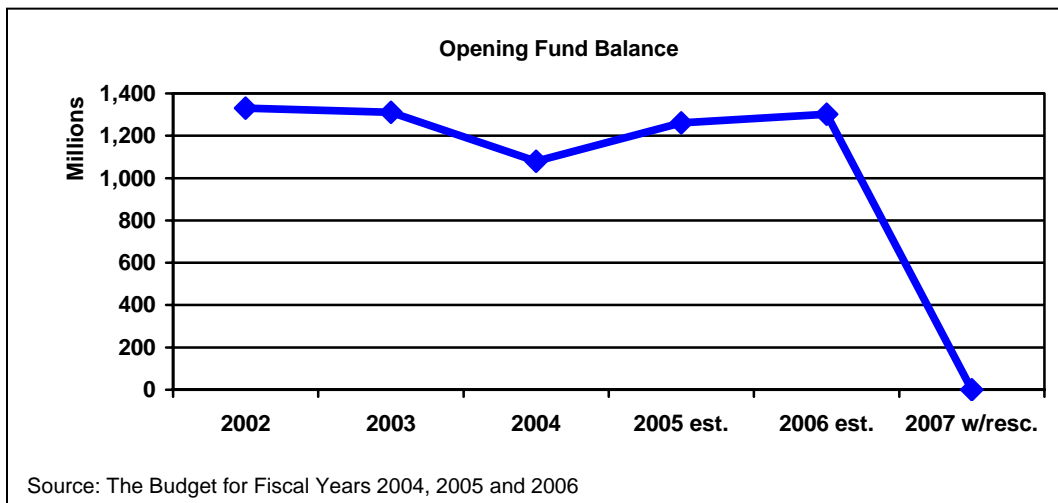
[FY 2005; House Rpt. 108-576]

## Administration's FY 2006 Budget Proposal Crime Victims Fund

	FY 2004 Actual	FY 2005 Est.	FY 2006 Est.	FY 2007
<b>Balance, start of year</b>	1,080	1,261	1,301	0
<b>Receipts</b>	834	616	616	
<b>Total</b>	1,914	1,877	1,917	
<b>Appropriations</b>	653	576	Cap 650 Rescission 1,267 1,917	
<b>Balance, end of year</b>	1,261	1,301	0	

In millions

Source: "The Budget for Fiscal Year 2006, Office of Justice Programs," p. 712



### Rescission of \$1.267 billion from Crime Victims Fund:

- Removes all amounts Congress kept in Fund for future victim services (after \$650 million FY06 allocations).
- Removes all amounts deposited *during* FY 06.
- Leaves zero funds at start of FY 2007 for crime victim services.

**The Crime Victims Fund is used to support State crime victim compensation, State victim assistance programs and services to victims of Federal crimes.**

**With no money in the Crime Victims Fund at the beginning of FY 2007, funds will not be available for these essential, often life-saving, services for crime victims.**

### Save the Crime Victims Fund

**Reject the rescission of \$1.267 billion and retain all amounts in the Fund to ensure stable funding for critical victim services in the future.**

## HOW THE CRIME VICTIMS FUND IS DISBURSED

**Funds deposited into the Crime Victims Fund are allocated according to the following statutory formula (42 U.S.C. 10601(d)):**

- The first \$10 million to \$20 million is used for formula grants to states to improve the investigation and prosecution of child abuse (Children's Justice Act);
- Following that, "such sums as may be necessary" are set aside for certain Federal victim services:
  - Victim witness coordinators in U.S. Attorneys' offices;
  - Victim assistance staff in FBI offices;
  - Federal Victim Notification System (VNS).
- Of the amount remaining, after the above allocations:
  - 5% for discretionary grants administered by the Office for Victims of Crime for demonstration projects, training and technical assistance and services to victims of federal crimes.
  - 47.5% in formula grants for state crime victim compensation benefits (each state grant based upon 60% of its state-funded benefit).
  - 47.5% in formula grants to states to support direct services to victims of crime plus any amount not used for state crime victim compensation grants (each state receives a base amount plus an amount apportioned on population).
- In addition, up to 5 percent of amounts remaining in the Fund, after the above annual allocations, may be used to replenish the Antiterrorism Emergency Reserve (AER) which is available for assistance to victims of international and domestic terrorism or mass violence and compensation to international terrorism victims.

**Unless the total Fund allocation is determined at the beginning of each fiscal year, the Justice Department will be unable to calculate the grant amounts to be awarded.**

## Victim Assistance Programs

- Formula grants to all States and territories are based largely on population.
- 4,400 public and nonprofit agencies . . .

VOCA Subgrants: Agency Type	Subgrant Awards*		Award Amounts (in millions)	
	No.	%	Amount	%
Criminal Justice (Police, Prosecutors, Corrections, etc.)	1,479	28.8%	82.8	25.2%
Native American	45	0.9%	2.6	0.8%
Public, non-CJS (Hospitals, Mental Health, Social Services)	192	3.7%	12.8	3.9%
Private, Nonprofit (Domestic Violence Shelters, Rape Crisis, etc.)	3,415	66.6%	229.9	70.1%
<b>TOTAL</b>	<b>5,131</b>	<b>100.0%</b>	<b>328.1</b>	<b>100.0%</b>

\* Some agencies receive multiple subgrant awards.

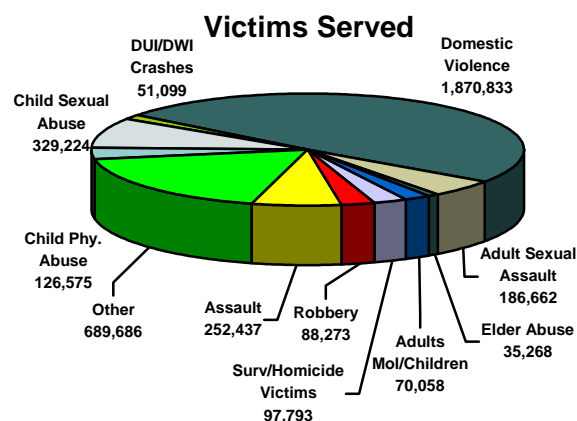
Source: 2001 OVC Subgrant Award Reporting System, partial data

- . . . provide direct victim assistance services, such as:
  - crisis intervention and counseling, support groups, therapy/treatment, information and referrals;
  - emergency shelter, hotlines, legal advocacy, emergency financial assistance;
  - support within the criminal justice system (case status/disposition information, restitution assistance);
  - personal advocacy and case management.
- . . . to 3.8 million victims of all types of crimes each year:

### Victims Served:

Type of Crime	No.	%
Child Physical Abuse	126,575	3.3%
Child Sexual Abuse	329,224	8.7%
DUI/DWI Crashes	51,099	1.3%
Domestic Violence	1,870,833	49.3%
Adult Sexual Assault	186,662	4.9%
Elder Abuse	35,268	0.9%
Adults Molested As Children	70,058	1.8%
Survivors of Homicide Victims	97,793	2.6%
Robbery	88,273	2.3%
Assault	252,437	6.6%
Other	689,686	18.2%
<b>TOTAL</b>	<b>3,797,908</b>	<b>100.0%</b>

Source: FY 2003 National Performance Report



<b>Victim Ass't Grants</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
<b>TOTAL</b>	<b>370,167,000</b>	<b>360,864,000</b>	<b>383,027,323</b>	<b>353,027,299</b>	<b>355,994,145</b>	<b>372,806,602</b>
Alabama	5,939,000	5,766,000	6,042,000	5,497,000	5,543,000	5,773,000
Alaska	1,267,000	1,246,000	1,281,000	1,217,000	1,224,000	1,260,000
Arizona	6,336,000	6,258,000	6,894,000	6,578,000	6,633,000	7,038,000
Arkansas	3,673,000	3,574,000	3,831,000	3,519,000	3,546,000	3,693,000
California	41,329,000	40,440,000	42,709,000	39,613,000	39,969,000	42,073,000
Colorado	5,463,000	5,388,000	5,860,000	5,520,000	5,565,000	5,831,477
Connecticut	4,592,000	4,455,000	4,744,000	4,354,000	4,390,000	4,581,000
Delaware	1,429,000	1,408,000	1,476,000	1,399,000	1,407,145	1,458,000
District of Columbia	1,154,000	1,125,000	1,213,000	1,136,000	1,142,000	1,160,000
Florida	19,143,000	18,709,000	20,417,000	19,116,000	19,285,000	20,439,000
Georgia	10,052,000	9,885,000	10,702,000	10,035,000	10,122,000	10,675,000
Hawaii	1,991,000	1,929,000	2,010,000	1,887,000	1,899,000	1,973,000
Idaho	2,036,000	2,008,000	2,112,000	1,994,000	2,007,000	2,101,000
Illinois	15,555,000	15,115,000	15,976,000	14,535,000	14,663,000	15,325,000
Indiana	7,873,000	7,661,000	8,077,000	7,360,000	7,423,000	7,759,000
Iowa	4,078,000	3,958,000	4,147,000	3,771,000	3,801,000	3,949,000
Kansas	3,785,000	3,698,000	3,850,000	3,525,000	3,553,000	3,691,000
Kentucky	5,420,000	5,273,000	5,537,000	5,059,000	5,100,000	5,324,000
Louisiana	5,961,000	5,768,000	6,069,000	5,493,000	5,538,000	5,768,000
Maine	2,055,000	2,010,000	2,089,000	1,942,000	1,955,000	2,030,000
Maryland	6,918,000	6,732,000	7,100,000	6,579,000	6,635,000	6,954,000
Massachusetts	8,183,000	7,941,000	8,412,000	7,660,000	7,725,000	8,037,000
Michigan	12,770,000	12,386,000	12,885,000	11,695,000	11,796,000	12,309,125
Minnesota	6,406,000	6,254,000	6,630,000	6,091,000	6,142,000	6,427,000
Mississippi	3,940,000	3,836,000	4,045,000	3,699,000	3,728,000	3,876,000
Missouri	7,297,000	7,089,000	7,472,323	6,818,000	6,876,000	7,183,000
Montana	1,600,000	1,564,000	1,624,000	1,513,000	1,522,000	1,575,000
Nebraska	2,578,000	2,508,000	2,632,000	2,426,000	2,444,000	2,538,000
Nevada	2,683,000	2,680,000	2,990,000	2,921,000	2,943,000	3,126,000
New Hampshire	1,981,000	1,947,000	2,040,000	1,920,000	1,933,000	2,009,000
New Jersey	10,643,000	10,313,000	10,986,000	10,068,000	10,155,000	10,621,000
New Mexico	2,671,000	2,596,000	2,767,000	2,566,000	2,585,000	2,696,000
New York	23,217,000	22,427,000	24,148,000	21,838,000	22,033,000	22,983,000
North Carolina	9,932,000	9,719,000	10,531,000	9,767,000	9,852,000	10,350,000
North Dakota	1,298,000	1,264,000	1,300,000	1,206,000	1,213,000	1,243,000
Ohio	14,510,000	14,064,000	14,648,000	13,221,000	13,337,000	13,898,000
Oklahoma	4,683,000	4,546,000	4,800,000	4,391,000	4,427,000	4,614,000
Oregon	4,602,000	4,496,000	4,764,000	4,422,000	4,458,000	4,670,000
Pennsylvania	15,500,000	14,953,000	15,804,000	14,239,000	14,364,000	14,987,000
Rhode Island	1,736,000	1,694,000	1,806,000	1,692,000	1,702,000	1,761,000
South Carolina	5,294,000	5,182,000	5,500,000	5,075,000	5,116,000	5,359,000
South Dakota	1,423,000	1,383,000	1,441,000	1,348,000	1,355,000	1,395,000
Tennessee	7,288,000	7,108,000	7,590,000	6,957,000	7,016,000	7,344,000
Texas	25,197,000	24,653,000	26,485,000	24,759,000	24,980,000	26,414,000
Utah	3,124,000	3,066,000	3,283,000	3,080,000	3,103,000	3,255,000
Vermont	1,239,000	1,215,000	1,259,000	1,187,000	1,193,000	1,225,000
Virginia	8,988,000	8,782,000	9,321,000	8,624,000	8,698,000	9,154,000
Washington	7,611,000	7,436,000	7,845,000	7,260,000	7,321,000	7,683,000
West Virginia	2,764,000	2,677,000	2,753,000	2,507,000	2,525,000	2,621,000
Wisconsin	7,029,000	6,827,000	7,184,000	6,561,000	6,616,000	6,911,000
Wyoming	1,101,000	1,078,000	1,115,000	1,055,299	1,061,000	1,087,000
Puerto Rico	5,325,000	5,187,000	5,246,000	4,798,000	4,837,000	5,044,000
Virgin Islands	627,000	644,000	635,000	621,000	622,000	627,000
Am. Samoa	258,000	277,000	271,000	264,000	264,000	267,000
Guam	366,000	383,000	393,000	372,000	374,000	381,000
N. Mariana Is.	254,000	283,000	286,000	277,000	278,000	281,000

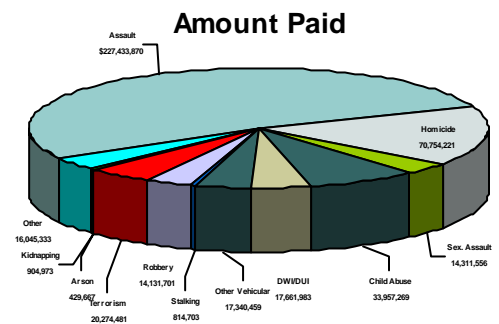
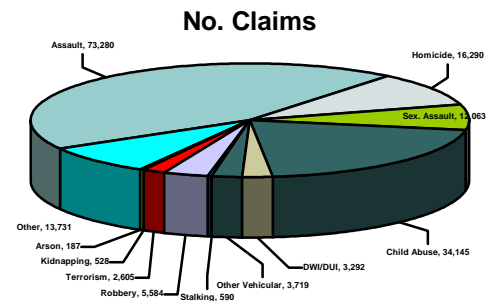
# Crime Victim Compensation

- Benefits to victims of violent crimes for unreimbursed, out-of-pocket expenses directly related to the crime.
- VOCA grants based upon 60% of benefits paid with state funds.

## Compensation Claims:

Type of Crime	Total No. Claims	Dom.Violence Claims*	Amount Paid (State and VOCA)
Assault	73,280	25,453	\$227,433,870
Homicide	16,290	1,373	70,754,221
Sex. Assault	12,063	778	14,311,556
Child Abuse	34,145		33,957,269
DWI/DUI	3,292		17,661,983
Other Vehicular	3,719		17,340,459
Stalking	590	289	814,703
Robbery	5,584	72	14,131,701
Terrorism	2,605		20,274,481
Kidnapping	528	116	904,973
Arson	187	13	429,667
Other	13,731	2,227	16,045,333
<b>TOTAL</b>	<b>165,474</b>	<b>30,321</b>	<b>\$434,060,216</b>

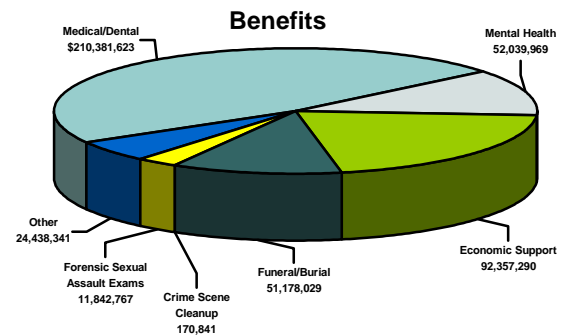
\* Domestic Violence Claims included in Total No. Claims  
Source: VOCA National Performance Report, 2003



## Compensation Benefits:

Expense:	Amount Paid
Medical/Dental	\$210,381,623
Mental Health	52,039,969
Economic Support	92,357,290
Funeral/Burial	51,178,029
Crime Scene Cleanup	170,841
Forensic Sexual Assault Exams	11,842,767
Other	24,438,341
<b>TOTAL</b>	<b>\$442,408,860</b>

Source: VOCA National Performance Report, 2003



<b>Compensation Grants</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
<b>TOTAL</b>	<b>81,374,000</b>	<b>90,677,000</b>	<b>93,957,000</b>	<b>164,933,000</b>	<b>186,149,000</b>	<b>169,653,000</b>
Alabama	842,000	1,898,000	1,107,000	1,740,000	2,792,000	1,129,000
Alaska	226,000	408,000	319,000	504,000	543,000	518,000
Arizona	357,000	503,000	566,000	1,374,000	1,258,000	1,304,000
Arkansas	849,000	348,000	650,000	1,148,000	1,187,000	1,474,000
California	19,161,000	19,294,000	23,305,000	44,234,000	64,796,000	25,689,000
Colorado	2,781,000	2,612,000	2,016,000	3,558,000	3,707,000	3,109,000
Connecticut	573,000	581,000	583,000	808,000	780,000	813,000
Delaware	367,000	178,000	228,000	399,000	859,000	2,766,000
District of Columbia	590,000	459,000	679,000	1,643,000	2,313,000	657,000
Florida	4,544,000	4,541,000	5,268,000	13,256,000	8,822,000	6,998,000
Georgia	612,000	1,408,000	1,260,000	2,304,000	1,706,000	4,575,000
Hawaii	270,000	457,000	438,000	512,000	522,000	309,000
Idaho	573,000	447,000	345,000	462,000	821,000	758,000
Illinois	4,919,000	9,709,000	6,866,000	8,974,000	10,431,000	6,917,000
Indiana	1,458,000	1,046,000	405,000	1,588,000	638,000	1,460,000
Iowa	950,000	931,000	1,035,000	1,560,000	1,238,000	1,843,000
Kansas	911,000	1,074,000	905,000	1,058,000	1,222,000	1,264,000
Kentucky	361,000	267,000	209,000	491,000	339,000	462,000
Louisiana	314,000	389,000	429,000	988,000	771,000	773,000
Maine	85,000	87,000	125,000	186,000	175,000	186,000
Maryland	1,461,000	1,434,000	1,581,000	1,291,000	2,058,000	2,058,000
Massachusetts	959,000	892,000	546,000	1,142,000	1,520,000	1,312,000
Michigan	311,000	596,000	485,000	866,000	757,000	985,000
Minnesota	738,000	588,000	728,000	948,000	1,241,000	1,090,000
Mississippi	420,000	404,000	501,000	539,000	713,000	661,000
Missouri	1,473,000	1,317,000	1,482,000	2,563,000	2,279,000	4,199,000
Montana	152,000	225,000	173,000	309,000	356,000	270,000
Nebraska	114,000	102,000	109,000	170,000	127,000	42,000
Nevada	847,000	871,000	1,071,000	1,995,000	1,561,000	1,685,000
New Hampshire	66,000	28,000	62,000	200,000	211,000	159,000
New Jersey	1,686,000	1,793,000	1,335,000	2,283,000	4,842,000	6,655,000
New Mexico	357,000	368,000	364,000	490,000	734,000	525,000
New York	4,187,000	5,459,000	6,190,000	12,129,000	9,938,000	9,337,000
North Carolina	1,549,000	1,098,000	1,083,000	2,643,000	3,830,000	1,357,000
North Dakota	59,000	117,000	93,000	135,000	98,000	86,000
Ohio	3,394,000	3,403,000	2,499,000	8,783,000	6,777,000	6,111,000
Oklahoma	693,000	756,000	679,000	1,525,000	1,659,000	1,683,000
Oregon	623,000	793,000	890,000	753,000	1,046,000	1,215,000
Pennsylvania	1,317,000	1,391,000	1,833,000	3,863,000	2,071,000	3,817,000
Rhode Island	615,000	1,341,000	1,500,000	1,941,000	1,248,000	912,000
South Carolina	2,410,000	2,099,000	2,443,000	3,075,000	4,116,000	4,736,000
South Dakota	138,000	122,000	97,000	158,000	184,000	44,000
Tennessee	1,959,000	1,529,000	2,070,000	5,095,000	4,971,000	3,167,000
Texas	9,055,000	10,842,000	12,455,000	16,020,000	18,489,000	42,464,000
Utah	1,057,000	1,113,000	1,418,000	1,794,000	2,332,000	2,889,000
Vermont	142,000	135,000	120,000	267,000	212,000	200,000
Virginia	619,000	729,000	611,000	1,095,000	1,244,000	1,369,000
Washington	2,920,000	3,332,000	3,521,000	4,018,000	4,444,000	4,802,000
West Virginia	523,000	333,000	527,000	749,000	646,000	1,118,000
Wisconsin	569,000	646,000	556,000	846,000	841,000	1,072,000
Wyoming	173,000	102,000	86,000	230,000	442,000	348,000
Puerto Rico		6,000	43,000	131,000	139,000	227,000
Virgin Islands	39,000	73,000	65,000	100,000	103,000	54,000
Guam	6,000	3,000	3,000			



## Other VOCA Funded Programs

- Children's Justice Act
  - Formula grants to States to improve the investigation and prosecution of child abuse cases.
  - \$10 million - \$20 million each year (if Fund deposits exceed \$324 million).
  - 85% awarded by HHS to States; 15% by OVC for Native American grants.
- United States' Attorneys Office victim/witness coordinators
  - VOCA funded since FY 2000.
  - Approximately \$20 million plus/year.
  - Funds Federal victim/witness coordinators in United States Attorneys' Offices in each of 94 Federal districts.
- F.B.I. victim assistance specialists
  - VOCA funded since FY 2001.
  - Has ranged between \$2 million - \$10 million/year.
  - Funds 112 victim assistance specialists in F.B.I. field offices.
- Federal Victim Notification System (VNS)
  - VOCA funded since FY 2003.
  - Approximately \$5 million/year.
  - Automated notification to victims on case status and offender status used by USAO, FBI and Bureau of Prison.
- Office for Victims of Crime Discretionary Grants
  - Five percent of annual allocations after CJA and federal set asides
  - At least half used for national scope training and technical assistance, demonstration projects, program evaluations, and compliance efforts
  - No more than half used for services to victims of Federal crimes.

	2002	2003	2004	2005
CJA	20,000,000	20,000,000	20,000,000	20,000,000
USAO	18,134,000	18,316,908	20,613,963	14,767,825
FBI	1,947,974	10,410,486	1,871,656	7,945,845
VNS	3,484,404	5,141,843	5,141,843	4,960,000
OVC	25,104,438	28,170,473	31,541,891	29,866,728

- Replenishment of Antiterrorism Emergency Reserve (AER)
  - 5 percent of balance in Crime Victims Fund available (after other programs are funded) to replenish \$50 million reserve available for:
    - Supplemental grants to assist and compensate victims of domestic or international terrorism or mass violence;
    - OVC International Victims' of Terrorism Compensation Program.

**National Victim Advocacy Organizations  
Support Saving the Crime Victims Fund**  
(in alphabetical order)

Justice Solutions, Inc.

Mothers Against Drunk Driving (MADD)

National Alliance to End Sexual Alliance

National Association of Crime Victim Compensation Boards (NACVCB)

National Association of VOCA Assistance Administrators (NAVAA)

National Center for Victims of Crime (NCVC)

National Children's Alliance

National Coalition Against Domestic Violence (NCADV)

National Crime Victim Research and Treatment Center

National Network to End Domestic Violence (NNEDV)

National Organization for Victim Assistance (NOVA)

National Organization of Parents of Murdered Children (POMC)

Pennsylvania Coalition Against Rape (PCAR)

Victims' Assistance Legal Organization (VALOR)

For more information about VOCA and the Crime Victims Fund, contact:

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